

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
(MARTINSBURG DIVISION)**

AUTOMATED MERCHANDISING SYSTEMS
INC.

Plaintiff,
v.
CRANE CO., and

SEAGA MANUFACTURING, INC.,

Defendants.

Civil Action Nos. 3:03-CV-88-JPB (*Lead Case*), 3:04-CV-48-JPB, 3:04-CV-75-JPB;
3:04-CV-80-JPB; 3:08-CV-97-JPB

**PLAINTIFF AUTOMATED MERCHANDISING
SYSTEMS INC.'S REQUEST FOR A STATUS CONFERENCE**

Plaintiff Automated Merchandising Systems, Inc. (“AMS”) requests a status conference in the above captioned case. AMS filed its first infringement action against defendant Crane Co. (“Crane”) on December 29, 2003. That action has all been stayed since June 13, 2005 pending completion of the six reexamination proceedings that were then pending before the United States Patent and Trademark Office (“PTO”). All six of those reexaminations were concluded in AMS’ favor by September 2009. Since that time, AMS has successfully defeated another six Crane-instigated reexamination challenges, and not one of AMS’ patents-in-suit is now in reexamination.

The PTO issued reexamination certificates for AMS’ Patent No. 7,343,220 on June 1, 2010 and for AMS’ Patent No. 7,191,915 on September 14, 2010. A copy of those certificates are attached at Exhibits A and B. The PTO terminated the fourth reexamination proceedings of both AMS’ Patent No. 6,794,634 on August 4, 2010 and AMS’ Patent No. 6,384,402 on October

7, 2010. The decisions terminating those proceedings are attached at Exhibits C and D.

Thus, none of the patents-in-suit are in reexamination and a part of any active PTO reexamination proceeding and AMS requests a status conference with Court to establish a new Case Scheduling Order.

DATED: October 26, 2010

AUTOMATED MERCHANDISING SYSTEMS INC.
by its Attorneys

/s/ Charles F. Printz, Jr.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the counsel of record who are deemed to have consented to electronic service are being served today with a copy of this document via the Court's CM/ECF system. Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Charles F. Printz, Jr.

Charles F. Printz, Jr.